

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

IN THE MATTER OF:) Chapter 13
)
JOANNE KERN,) Case No. 15-06980
)
Debtor(s).) Judge Schmetterer

NOTICE OF MOTION

To the following persons or entities who have been served via electronic mail:

U.S. Bankruptcy Trustee: USTPRegion11.ES.ECF@usdoj.gov
Tom Vaughn, Chapter 13 Trustee

To the following persons or entities who have been served via first-class U.S. Mail:

See attached list.

Please take notice that I shall appear before the following named Bankruptcy Judge, or any other Judge presiding in his stead at 219 S. Dearborn St., Chicago, IL 60604, (or any other place posted), and present the attached **Motion to Allow Settlement**, at which time and place you may appear.

JUDGE: Schmetterer
DATE: May 23, 2018
TIME: 10:00 AM
ROOM: 682

PROOF OF SERVICE

A copy of this Notice of Motion and attachments were deposited at the United States Post Office, Wheeling, Illinois, 60090, with sufficient postage prepaid, or served electronically by the bankruptcy court, under oath and under all penalties of perjury.

DATE OF SERVICE: May 16, 2018

/s/ Dustin B. Allen
Dustin B. Allen, A.R.D.C. #6312451
Attorney for the Debtor(s)

DAVID M. SIEGEL & ASSOCIATES
790 Chaddick Drive
Wheeling, IL 60090
847/520-8100

Service List

To the following persons or entities who have been served via first-class U.S. Mail:

Joanne Kern
609 Albion Lane
Mt. Prospect, IL 60056

American InfoSource LP as agent for
First Data Global Leasing
PO Box 248838
Oklahoma City, OK 73124-8838

Quantum3 Group LLC as agent for
Comenity Bank
PO Box 788
Kirkland, WA 98083-0788

Cavalry SPV I, LLC
500 Summit Lake Drive, Ste 400
Valhalla, NY 10595

Sterling Jewelers, Inc.
dba Jared The Galleria of Jewelry
c/o Buckley King LPA
600 Superior Avenue East
Suite 1400
Cleveland, Ohio 44114

Cavalry SPV I LLC assignee Capital One Bank
USA, NA
Bass Associates PC
3936 E Fort Lowell Road Suite 200
Tucson, AZ 85712

Imtiaz Carbide
c/o Sakina Carbide
2315 W Devon Ave, #2
Chicago, IL 60659

MERRICK BANK
Resurgent Capital Services
PO Box 10368
Greenville, SC 29603-0368

Quantum3 Group LLC as agent for
Sadino Funding LLC
PO Box 788
Kirkland, WA 98083-0788

Premier Bankcard, Lllc
c o Jefferson Capital Systems LLC
Po Box 7999
Saint Cloud Mn 56302-9617

Portfolio Recovery Associates, LLC
POB 41067
Norfolk, VA 23541

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

| | | |
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| IN THE MATTER OF: |) | Chapter 13 |
| |) | |
| JOANNE KERN, |) | Case No. 15-06980 |
| |) | |
| Debtor(s). |) | Judge Schmetterer |

MOTION TO ALLOW SETTLEMENT

NOW COMES the Debtor, JOANNE KERN, by and through their attorneys, DAVID M. SIEGEL AND ASSOCIATES, to present this Motion, and in support thereof states as follows:

- 1) Jurisdiction is proper and venue is fixed in this Court with respect to these parties.
- 2) On February 27, 2015, the Debtor filed a voluntary petition for relief pursuant to Chapter 13 under Title 11 USC and Tom Vaughn was appointed Trustee in the case.
- 3) After filing, on November 7, 2015, the Debtor was involved in a vehicular accident.
- 4) On January 19, 2018, Debtor's attorney amended Schedule B and C to list this asset and to exert the Debtor's \$15,000.00 personal injury exemption on the proceeds.
- 5) The Debtor has hired a personal injury attorney and wishes to settle the case.
- 6) The settlement calls for a total settlement of \$25,000.00. See Exhibit A.
- 7) After attorney's fees and expenses, the remaining amount will be under \$15,000.00. The medical lien payments have yet to be determined, but the attorney estimates that the Debtor will receive around \$9,000.00.
- 8) The Debtor seeks that the court allow this settlement and allow the disbursement of settlement proceeds to the Debtor.

WHEREFORE, the Debtor, JOANNE KERN, prays that this Honorable Court enter an Order to allow the settlement of this personal injury suit and for the proceeds to be distributed to the Debtor.

Respectfully Submitted,
/s/ Dustin B. Allen
Dustin B. Allen, A.R.D.C. #6312451
Attorney for the Debtor

David Siegel & Associates

790 Chaddick Drive
Wheeling, IL 60090
847-520-8100

Law Offices
JOHN C. WUNSCH, P.C.
SETTLEMENT DISTRIBUTION SHEET
JOANNE KERN VS. A. LACHHAB

TOTAL SETTLEMENT..... \$ 25,000.00

ATTORNEY'S FEES\$ 8,333.33

1/3RD x \$ 25,000.00 =..... \$ 8,333.33

2/3RD TO WUNSCH = \$ 5,555.56

1/3RD TO EDENS = \$ 2,777.77

EXPENSES TO ATTORNEY.....

Clerk of the Court—Filing Fees..... \$ 598.00 (2351)(8/29/17)

Dr. Shaun T. O'Leary..... \$ 1,200.00 (2542)(4.10.18)

Northwest Community Hospital..... \$ 25.00 (2557)(4.17.18)

IOD Medical Records..... \$ 28.27 (PAID)

IOD Medical Records..... \$ 61.29 (PAID)

STO Investigation..Process Server.....\$ 125.00 (PAID)

Total..... \$ 2,037.56

LIEN: DR. IGOR SHER..... \$ 750.00 ?

(Reduced from \$ 2,991.00)

LIEN: DR. EGUERT NAGAJ \$ 750.00 ?

(Reduced from \$ 13,550.00)

LIEN: NORTHWEST ORTHOPEDIC SURGERY SC \$ 500.00 ?

(Reduced from \$ 1,185.00)(Tammara)(Fax: 847-870-0059)(P: 847-870-4200 Ext 1012)

LIEN: ALLSTATE INSURANCE SUBROGATION \$ 0.0

(Reduced from \$ 1,650.00)(No Lien: JW called)(1-800-374-4246)

LIEN: JACOB BURNS ORLOVE (HEALTH PLAN)..... \$ 1,118.80

(Amount due \$ 1,118.80)(P: 312-372-3461)(F: 312-580-7175)(Brandon Anderson)

LIEN: BLUE CROSS BLUE SHIELD \$ 0.0

(Reduced from \$ 0.0)(1-800-582-6418)(No Lien: JW called)

LIEN: NORTHWEST COMMUNITY HOSPITAL..... \$ 0.0

(Reduced from \$ 2,778.00)

LIEN: BANKRUPTCY TRUSTEE \$?

SHARE TO CLIENT\$

We, JOANNE KERN, and JEFFREY KERN, being over eighteen (18) years of age and of sound body and mind, do hereby state that I consent and agree to the

Exhibit

A